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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,029	02/25/2000	Connie Blackburn	LUCENT-00401	7684

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EXAMINER
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ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/513,029

Applicant(s)

BLACKBURN ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C § 103(a) as being unpatentable over Tessler et al, U.S. Patent No. 6,289,090 (hereinafter Tessler) in view of O'Brien, U.S. Patent No. 5,479,489 (hereinafter O'Brien).

Regarding claim 1, Tessler discloses an audible confirmation in an Intelligent Network for allowing a calling party to audibly hear an audible name of a call recipient, the audible confirmation system comprising:

a database (205) configured for storing a plurality of text names wherein each of the plurality of text names is associated with a unique identifier (see Figure 4);

a control point (SCP) coupled to the database and configured to retrieve one of the plurality of text names in

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response to a call recipient selected by the calling party (see 203, Figure 2).

Tessler does not disclose a text to speech converter coupled to the control point and configured to convert the selected one of the plurality of text names into the audible name. However O'Brien discloses this limitation (13, Figure 1). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tessler with the text to speech converter taught by O'Brien. This modification would allow for the delivery of audible indications as suggested by Tessler (col. 9, line 60).

Regarding claim 4, Tessler discloses a method of allowing a calling party to audibly identify a call recipient, the method comprising the following steps:

initiating a call from the calling party directed to an identifier belonging to the call recipient (col. 7, lines 31-33);

matching the identifier to a text name corresponding to the recipient within a database (col. 8, lines 14-15);

retrieving the text name of the recipient from the database (col. 7, lines 59-62);

audibly playing an audible name of the call recipient to the calling party prior to connecting the call (col. 9, line 60 and col. 3, lines 40-43).

Tessler does not disclose converting the text name of the call recipient to an audible name. However O'Brien discloses this limitation (312). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tessler with the converting step taught by O'Brien. This modification would allow for the delivery of audible indications as suggested by Tessler.

Regarding claims 2, 3, 5 and 6 see unit 412 from Figure 4 of Tessler.

3. Claims 7-9 and 11-14 are rejected under 35 U.S.C § 103(a) as being unpatentable over Tessler in view of O'Brien in further view of Lotito, U.S. Patent No. 4,625,081 (hereinafter Lotito).

Regarding claim 7, Tessler combined with O'Brien does not disclose a method of automatically re-dialing the call recipient if the call cannot be connected. However Lotito discloses this limitation (col. 232, lines 40-43). Therefore it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to further modify Tessler combined with O'Brien with the re-dialing procedure taught by Lotito. This modification saves a calling party the trouble of having to manually redial a called party's telephone number if the call was not completed.

Regarding claim 8, see Lotito, col. 2, lines 9-12.

Regarding claim 9, Tessler discloses a method of allowing a calling party to audibly identify a call recipient, wherein the method comprises the following steps:

matching an identifier to a text name corresponding to the call recipient wherein the identifier and the text name are stored within a database (col. 8, lines 14 and 15);

audibly playing an audible name of the recipient to the calling party (col. 2, lines 49-51 and col. 9, line 60).

Tessler does not disclose converting the text name of the call recipient to an audible name. However O'Brien discloses this limitation (312). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tessler with the converting step taught by O'Brien. This modification would allow for the delivery of audible indications as suggested by Tessler.

Tessler combined with O'Brien does not disclose pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient. However Lotito discloses this limitation (col. 1, lines 9-12). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Tessler combined with O'Brien with the pre-recording step taught by Lotito. This modification allows a calling party to record a voice message for a called party and then send the voice message to the called party.

Regarding claims 11-13, see 412 from Figure 4 of Tessler.

Regarding claim 14, see Tessler, col. 10, lines 14-15.

4. Claim 10 is rejected under 35 U.S.C § 103(a) as being unpatentable over Tessler in view of O'Brien combined with Lotito in further view of Malik, U.S. Patent No. 6,456,700 (hereinafter Malik).

Regarding claim 10, Tessler combined with O'Brien and Lotito does not disclose delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party. However Malik discloses this limitation (col.

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2, lines 10-20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Tessler combined with O'Brien and Lotito with the delivery step taught by Malik. This modification allows callers to hear a message recipient's name before interacting with a VMS.

#### ***Response to Arguments***

5. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O. A.

Olisa Anwah  
Patent Examiner  
July 28, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written in a cursive style.